THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.12179 OF 2004

Dt.17.11.2005

Between:

Chitturi Veera Venkata Rao

… Petitioner

And

The Executive Engineer, Irrigation Department,

Eastern Division, Dowleswaram, E.G.Dist., and

3 others. .. Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned counsel appearing on behalf of the respondents.

The petitioner questions the action of respondents 1 to 3 in seeking to remove the wooden structure raised by the petitioner for running the pan shop business at 3rd Ward, Vemagiri Village, Kadiyam Mandal, East Godavari District. It is stated that the petitioner is in occupation of the said site.

The learned counsel appearing for the 4th respondent submits that in fact the 4th respondent is the owner of the said shop and he has given on lease only to the petitioner.

This being a private dispute between the petitioner and the 4th respondent and even if there is any threat of demolition to remove the wooden structure of a private property, no relief can be granted in this writ petition filed under Article 226 of the Constitution of India.

The writ petition is accordingly dismissed. No costs.

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(V.ESWARAIAH, J.)

17.11.2005

kpr